

AMENDED IN ASSEMBLY MARCH 27, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 597

Introduced by Assembly Member Mullin

February 21, 2007

An act to amend Section 52052 of the Education Code, relating to school performance.

LEGISLATIVE COUNSEL'S DIGEST

AB 597, as amended, Mullin. School performance.

Existing law establishes the Public School Performance Accountability Program, requires the Superintendent of Public Instruction to develop an Academic Performance Index to measure the performance of schools, and requires the Superintendent to provide an annual report to the Legislature on the graduation and dropout rates in California. *Existing law also requires the Superintendent to make the report available to the public.*

This bill would require the Superintendent to provide that report by January 1 of every year, *and to make the report available on the State Department of Education's Internet Web site.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 52052 of the Education Code is amended
- 2 to read:
- 3 52052. (a) (1) The Superintendent, with approval of the State
- 4 Board, shall develop an Academic Performance Index (API), to

1 measure the performance of schools, especially the academic
2 performance of pupils.

3 (2) A school shall demonstrate comparable improvement in
4 academic achievement as measured by the API by all numerically
5 significant pupil subgroups at the school, including:

6 (A) Ethnic subgroups.

7 (B) Socioeconomically disadvantaged pupils.

8 (C) English language learners.

9 (D) Pupils with disabilities.

10 (3) (A) For purposes of this section, a numerically significant
11 pupil subgroup is one that meets both of the following criteria:

12 (i) The subgroup consists of at least 50 pupils each of whom
13 has a valid test score.

14 (ii) The subgroup constitutes at least 15 percent of the total
15 population of pupils at a school who have valid test scores.

16 (B) If a subgroup does not constitute 15 percent of the total
17 population of pupils at a school who have valid test scores, the
18 subgroup may constitute a numerically significant pupil subgroup
19 if it has at least 100 valid test scores.

20 (C) For a school with an API score that is based on no fewer
21 than 11 and no more than 99 pupils with valid test scores,
22 numerically significant subgroups shall be defined by the
23 Superintendent, with approval by the State Board.

24 (4) The API shall consist of a variety of indicators currently
25 reported to the department, including, but not limited to, the results
26 of the achievement test administered pursuant to Section 60640,
27 attendance rates for pupils in elementary schools, middle schools,
28 and secondary schools, and the graduation rates for pupils in
29 secondary schools.

30 (A) Graduation rates for pupils in secondary schools shall be
31 calculated for the API as follows:

32 (i) The number of pupils who graduated on time for the current
33 school year, which is considered to be three school years after the
34 pupils entered 9th grade for the first time, divided by the total
35 calculated in clause (ii).

36 (ii) The number of pupils entering 9th grade for the first time
37 in the school year three school years prior to the current school
38 year, plus the number of pupils who transferred into the class
39 graduating at the end of the current school year between the school
40 year that was three school years prior to the current school year

1 and the date of graduation, less the number of pupils who
2 transferred out of the school between the school year that was three
3 school years prior to the current school year and the date of
4 graduation who were members of the class that is graduating at
5 the end of the current school year.

6 (B) The pupil data collected for the API that comes from the
7 achievement test administered pursuant to Sections 60640 and
8 60644 and the high school exit examination administered pursuant
9 to Section 60851, when fully implemented, shall be disaggregated
10 by special education status, English language learners,
11 socioeconomic status, gender and ethnic group. Only the test scores
12 of pupils who were counted as part of the enrollment in the annual
13 data collection of the California Basic Educational Data System
14 for the current fiscal year and who were continuously enrolled
15 during that year may be included in the test result reports in the
16 API score of the school. Results of the achievement test and other
17 tests specified in subdivision (b) shall constitute at least 60 percent
18 of the value of the index.

19 (C) Before including high school graduation rates and attendance
20 rates in the API, the Superintendent shall determine the extent to
21 which the data are currently reported to the state and the accuracy
22 of the data. Notwithstanding any other provision of law, graduation
23 rates for pupils in dropout recovery high schools shall not be
24 included in the API. For purposes of this subparagraph, “dropout
25 recovery high school” means a high school in which 50 percent
26 or more of its pupils have been designated as dropouts pursuant
27 to the exit/withdrawal codes developed by the department.

28 (D) The Superintendent shall provide a report to the Legislature
29 by January 1 every year on the graduation and dropout rates in
30 California and shall make the ~~same report available to the public~~
31 *report available on the Internet Web site of the department by that*
32 *date*. The report shall be accompanied by the release of publicly
33 accessible data for each school district and school in a manner that
34 provides for disaggregation based upon socioeconomically
35 disadvantaged pupils and numerically significant subgroups scoring
36 below average on statewide standards aligned assessments. In
37 addition, the data shall be made available in a manner that provides
38 for comparisons of a minimum of three years of data.

(b) Pupil scores from the following tests, when available and when found to be valid and reliable for this purpose, shall be incorporated into the API:

(1) The assessment of the applied academic skills matrix test developed pursuant to Section 60604.

(2) The nationally normed test designated pursuant to Section 60642.

(3) The standards-based achievement tests provided for in Section 60642.5.

(4) The high school exit examination.

(c) Based on the API, the Superintendent shall develop, and the State Board shall adopt, expected annual percentage growth targets for all schools based on their API baseline score from the previous year. Schools are expected to meet these growth targets through effective allocation of available resources. For schools below the statewide API performance target adopted by the State Board pursuant to subdivision (d), the minimum annual percentage growth target shall be 5 percent of the difference between the actual API score of a school and the statewide API performance target, or one API point, whichever is greater. Schools at or above the statewide API performance target shall have, as their growth target, maintenance of their API score above the statewide API performance target. However, the State Board may set differential growth targets based on grade level of instruction and may set higher growth targets for the lowest performing schools because they have the greatest room for improvement. To meet its growth target, a school shall demonstrate that the annual growth in its API is equal to or more than its schoolwide annual percentage growth target and that all numerically significant pupil subgroups, as defined in subdivision (a), are making comparable improvement.

(d) Upon adoption of state performance standards by the State Board, the Superintendent shall recommend, and the State Board shall adopt, a statewide API performance target that includes consideration of performance standards and represents the proficiency level required to meet the state performance target. When the API is fully developed, schools, at a minimum, must meet their annual API growth targets to be eligible for the Governor's Performance Award Program as set forth in Section 52057. The State Board may establish additional criteria that

1 schools must meet to be eligible for the Governor's Performance
2 Award Program.

3 (e) The API shall be used for both of the following:

4 (1) Measuring the progress of schools selected for participation
5 in the Immediate Intervention/Underperforming Schools Program
6 pursuant to Section 52053.

7 (2) Ranking all public schools in the state for the purpose of the
8 High Achieving/Improving Schools Program pursuant to Section
9 52056.

10 (f) (1) A school with 11 to 99 pupils with valid test scores shall
11 receive an API score with an asterisk that indicates less statistical
12 certainty than API scores based on 100 or more test scores.

13 (2) A school shall annually receive an API score, unless the
14 Superintendent determines that an API score would be an invalid
15 measure of the performance of the school for one or more of the
16 following reasons:

17 (A) Irregularities in testing procedures occurred.

18 (B) The data used to calculate the API score of the school are
19 not representative of the pupil population at the school.

20 (C) Significant demographic changes in the pupil population
21 render year-to-year comparisons of pupil performance invalid.

22 (D) The department discovers or receives information indicating
23 that the integrity of the API score has been compromised.

24 (E) Insufficient pupil participation in the assessments included
25 in the API.

26 (3) If a school has less than 100 pupils with valid test scores,
27 the calculation of the API or adequate yearly progress pursuant to
28 the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301
29 et seq.) and federal regulations may be calculated over more than
30 one annual administration of the tests administered pursuant to
31 Sections 60640 and 60644 and the high school exit examination
32 administered pursuant to Section 60851, consistent with regulations
33 adopted by the State Board.

34 (g) Only schools with 100 or more test scores contributing to
35 the API may be included in the API rankings.

36 (h) The Superintendent, with the approval of the State Board,
37 shall develop an alternative accountability system for schools under
38 the jurisdiction of a county board of education or a county
39 superintendent of schools, community day schools, nonpublic,
40 nonsectarian schools pursuant to Section 56366, and alternative

1 schools serving high-risk pupils, including continuation high
2 schools and opportunity schools. Schools in the alternative
3 accountability system may receive an API score, but shall not be
4 included in the API rankings.

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